

HAMILTON, BROOK, SMITH &amp; REYNOLDS, P.C.

**COPY****REQUEST****FOR  
CONTINUED EXAMINATION (RCE)  
TRANSMITTAL**

Subsection (b) of 35 U.S.C. § 132, effective on May 29, 2000,  
provides for continued examination of a utility or plant application  
filed on or after June 8, 1995.

See The American Inventors Protection Act of 1999 (AIPA)

Application Number	9/817,781
Filing Date	March 26, 2001
Confirmation Number	7810
First Named Inventor	Paul C. Harris
Group Art Unit	1641
Examiner Name	B. Nguyen
Attorney Docket Number	2065.2001-000

# 8/20/03

This is a Request for Continued Examination (RCE) under 37 C.F.R. § 1.114 of the above-identified application.

**NOTE:** 37 C.F.R. § 1.114 is effective on May 29, 2000. If the above-identified application was filed prior to May 29, 2000, applicant may wish to consider filing a continued prosecution application (CPA) under 37 C.F.R. § 1.53(d) (PTO/SB/29) instead of a RCE to be eligible for the parent term adjustment provisions of the AIPA. See Changes to Application Examination and Provisional Application Practice, Final Rule, 65 Fed. Reg. 50092 (Aug. 16, 2000), Interim Rule, 65 Fed. Reg. 14365 (Mar. 20, 2000), 1233 Off. Gaz. Pat. Office 47 (Apr. 11, 2000), which established RCE practice.

1. **Submission required under 37 C.F.R. § 1.114**a. ☒ [X] Previously submitted

i. ☐ [X] Consider the amendment after final/reply under 37 C.F.R. § 1.116 previously filed on April 11, 2003.  
(Any unentered amendment(s) referred to above will be entered).

ii. ☐ [ ] Consider the arguments in the Appeal Brief or Reply Brief previously filed on [ ].

iii. ☐ [ ] Other -- [ ].

b. ☐ [ ] Enclosed

i. ☐ [ ] Amendment/Reply

ii. ☐ [ ] Affidavit(s)/Declaration(s)

iii. ☐ [ ] Information Disclosure Statement (IDS)

iv. ☐ [ ] Petition for Extension of Time - [ ] month(s) with copy

v. ☐ [ ] Other -- [ ].

2. **Miscellaneous**

a. ☐ [ ] Suspension of action on the above-identified application is requested under 37 C.F.R. § 1.103(c) for a period of [ ] months. (Period of suspension shall not exceed 3 months; Fee under 37 C.F.R. § 1.17(i) required)

b. ☐ [ ] Other -- [ ].

3. **Fees** The RCE fee under 37 CFR §1.17(e) is required by 37 CFR §1.114 when the RCE is filed.

a. ☒ [X] A check is enclosed for the following fees in the total amount of \$375

OR

☐ [ ] Authorization is granted to charge the following fees in the total amount of \$[ ] to Deposit Account No. 08-0380. A copy of this document is enclosed for accounting purposes

i. ☒ [X] RCE fee required under 37 C.F.R. § 1.17(e)

ii. ☐ [ ] Extension of time fee (37 C.F.R. §§ 1.136 and 1.17)

iii. ☐ [ ] Amendment Fee

iv. ☐ [ ] Other -- [ ].

b. ☒ [X] Authorization is hereby granted to charge any deficiency in fees or credit any overpayments to Deposit Account No. 08-0380. A copy of this document is enclosed for accounting purposes.

**SIGNATURE OF APPLICANT, ATTORNEY OR AGENT REQUIRED**

Name (Print/Type)

Elizabeth W. Mata

Registration No. (Attorney/Agent)

38,236

Signature

DANIEL B. R.N. 22592 For EWM

Date

5/27/03

**CERTIFICATE OF MAILING OR TRANSMISSION**

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Mail Stop RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, or facsimile transmitted to the U.S. Patent and Trademark Office on the date shown below:

Name (Print/Type)

Christina M. McInerney

Signature

Christina M. McInerney

Date

5/27/03

HAMILTON, BROOK, SMITH & REYNOLDS, P.C.  
530 Virginia Road, P.O. Box 9133  
Concord, MA 01742-9133

Telephone: (978) 341-0036

Facsimile: (978) 341-0136

## FACSIMILE COVER SHEET

Examiner: Bao-Thuy L. Nguyen

Group: 1641

Date: August 14, 2003

Client Code: 2065

Facsimile No.: 703-746-7051

From: Elizabeth W. Mata

Subject: Paper: Copies of Request for Continued Examination Postcard, Request for Continued Examination Transmittal, Supplemental Information Disclosure Statement Postcard, Supplemental Information Disclosure Statement, PTO 1449 Form and cited reference

Docket No.: 2065.2001-000

Applicants: Paul C. Harris and Brian G. Richards

Serial No.: 09/817,781

Filing Date: March 26, 2001

Number of pages including this cover sheet: 26

Please confirm receipt of facsimile: Yes ☐ No ☐

## Comments:

As we discussed, the following is a copy of the RCE previously filed in the referenced application, as well as the postcard receipt for the RCE. Also attached is a Supplemental IDS, 1449 Form, reference and postcard receipt; these documents were filed subsequent to the RCE. Please do not hesitate to contact me at (915) 845-3558 for any questions you may have.

C:\P\Desktop\ODMA\ML\ODMA\Manage\414677.1

Privileged and Confidential - All information transmitted hereby is intended only for the use of the addressee(s) named above. If the reader of this message is not the intended recipient or the employee or agent responsible for delivering the message to the intended recipient(s), please note that any distribution or copying of this communication is strictly prohibited. Anyone who received this communication in error is asked to notify us immediately by telephone and to destroy the original message or return it to us at the above address via first class mail.